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CF 3001

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 3478 /2003 ✓

- PETITIONERS :**
1. M/s Radha Krishna Ferro Alloys Pvt. Ltd.
through Shrawan Singhanian,
Managing Director, Danipara, Thana Road,
Raigarh (C.G.)
 2. Ashok Singhanian, Main Road, Vill. : Lailunga
Distt. Raigarh (C.G.)
 3. Niranjana Lal Agrawal,
Nayaganj, Raigarh (C.G.)

- Versus -

- RESPONDENTS :**
1. Union of India,
Through Secretary, Ministry
of Law, Shastri Bhawan,
R. P. Road, New Delhi.
 2. Branch Manager
Allahabad Bank, Raigarh (C.G.)
 3. Regional Manager,
Through Allahabad Bank,
AGM Office LIC Building Pandri Road Raipur (C.G.)

P. R. No. 3078/03
Presented by Shri M. L. Rastogi
dated 02.10.03

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**WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA FOR ISSUANCE OF A
SUITABLE WRIT, ORDER OR DIRECTION.**

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आदेश पत्रक

मामला क्रमांक W.P. 3478 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>DIVISION BENCH:</u> <u>HON'BLE SHRI A.S.VENKATACHALA MOORTHY, CJ</u> <u>& HON'BLE SHRI FAKHRUDDIN, J.</u> <u>29/06/2004: -</u> Shri M.L.Pastore, counsel for the petitioner. Shri Vinay Harit, Sr. Standing Counsel for the Union of India, for respondent No.1. None for the respondent No.2 Following the decision of the Supreme Court in the matter of Mardia Chemical Ltd. Vs. Union of India (2004 AIR SCW 2541), the writ petition stands dismissed. However, it is made clear that where a secured creditor has taken action under Section 13(4) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 in such cases it would be open to borrowers to file appeals under Section 17 of the Act within the limitation as prescribed therefor, to be counted with effect from today.	
	Sd/- Chief Justice	Sd/- Fakhruddin Judge